

# EXHIBIT A

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PEOPLE OF THE STATE OF NEW YORK, by Letitia  
James, Attorney General of the State of New  
York,

PLAINTIFF,

-against- Case No.:

21-cv-322 (CM) (GWG)

CITY OF NEW YORK, MAYOR BILL DE BLASIO,  
POLICE COMMISSIONER DERMOT F. SHEA, and  
CHIEF OF DEPARTMENT TERENCE A. MONAHAN,

DEFENDANTS.

-----X  
DATE: MAY 26, 2023

TIME: 10:32 A.M

REMOTE DEPOSITION of CHIEF JEFFREY  
MADDREY, taken by the Plaintiffs, pursuant to  
a Notice and to the Federal Rules of Civil  
Procedure, held via video teleconference,  
before Diane Buchanan, a Notary Public of the  
State of New York.

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2 A P P E A R A N C E S:

3

4 NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL

5 Attorneys for the Plaintiffs

6 28 Liberty Street

7 New York, New York 10005

8 BY: LILLIAN MARQUEZ, ESQ.

9

10

11 NEW YORK CITY LAW DEPARTMENT

12 Corporation Counsel of the City of New York

13 100 Church Street

14 New York, New York 10007

15 BY: JOSEPH HIRAKO, ESQ.

16

17 ALSO PRESENT: Alicia Calzada, Esq.

18 Veronica Salama, Esq.

19 Aymen Aboushi-Rolan, Esq.

20 Elizabeth Moehle, Esq.

21 Laura Mulle

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23 \*

24 \*

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F E D E R A L S T I P U L A T I O N S

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5 IT IS HEREBY STIPULATED AND AGREED by and  
6 between the counsel for the respective  
7 parties herein that the sealing, filing and  
8 certification of the within deposition be  
9 waived; that the original of the deposition  
10 may be signed and sworn to by the witness  
11 before anyone authorized to administer an  
12 oath, with the same effect as if signed  
13 before a Judge of the Court; that an unsigned  
14 copy of the deposition may be used with the  
15 same force and effect as if signed by the  
16 witness, 30 days after service of the  
17 original & 1 copy of same upon counsel for  
18 the witness.

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1                   CHIEF JEFFREY MADDREY

2                   don't know exactly who. And the City of  
3                   New York.

4                   Q. Okay. Any other times you recall  
5                   being deposed?

6                   A. No. I think I was deposed one  
7                   other time, it was an extremely long time  
8                   ago. I don't remember.

9                   Q. Was it while you were in NYPD?

10                  A. Yes.

11                  Q. Or in your capacity as a member of  
12                  the service?

13                  A. Yes.

14                  Q. More than ten years ago would you  
15                  say?

16                  A. Yes.

17                  Q. Any other times?

18                  A. The best of my recollection, that's  
19                  it.

20                  Q. Okay. And I'm guessing you also  
21                  testified in criminal cases?

22                  A. Yes.

23                  Q. How many times would you say?

24                  A. At least ten times.

25                  Q. Have you ever been accused of lying

1                   CHIEF JEFFREY MADDREY

2                   under oath?

3                   A.    Yes.

4                   Q.    When?

5                   A.    In 2017.

6                   Q.    In connection with what?

7                   A.    In connection with a case in the  
8                   police department.

9                   Q.    Internal investigation?

10                  A.    Internal investigation, yes.

11                  Q.    Involving who?

12                  A.    The same case with Tabatha Foster.

13                  Q.    When you say the same case, is it  
14                  arising from the same circumstances or  
15                  involving that civil suit that's in court  
16                  right now?

17                  A.    Arising from the same  
18                  circumstances.

19                  Q.    Involving, I'm not sure what her  
20                  rank was, Tabatha Foster?

21                  A.    She was a police officer.

22                  Q.    PO.    Okay.   And was Officer Foster  
23                  a subordinate of yours or outside of your  
24                  command?

25                  MR. HIRAKO:   Ms. Marquez, I just

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1 CHIEF JEFFREY MADDREY

2 want to step in for a moment. The case  
3 is still open and I'm not representing  
4 Chief Maddrey with respect to that open  
5 case. The attorney who is representing  
6 him should be available later this  
7 afternoon. So, I have no problems with  
8 you asking questions about that, but I  
9 will not allow him to answer questions  
10 while his attorney is not present. If  
11 you could wait to ask questions about  
12 open cases until 2:30, 3 o'clock, when  
13 his private attorney could log in, that  
14 would be appreciated.

15 Q. My understanding, Chief, that was  
16 closed under plea, that particular  
17 investigation; is that right?

18 A. Yes.

19 MS. MARQUEZ: Joe, do you still  
20 want me to wait, I could do that later,  
21 but my understanding that it's closed.

22 MR. HIRAOKA: That would be  
23 appreciated. Because there could be  
24 some overlap and so forth to prevent  
25 future problems when his attorney who

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1                   CHIEF JEFFREY MADDREY  
2                   represents him on the case that is still  
3                   open, since the facts they may overlap I  
4                   think to prevent any problems if you  
5                   could wait until his private attorney is  
6                   available and logs in, that would be  
7                   better. I would very much appreciate  
8                   it.

9                   MS. MARQUEZ: What time are they  
10                  joining?

11                  MR. HIRAKO: He should be  
12                  available between 2:30 and 3:00.

13                  MS. MARQUEZ: Okay.

14                  Q. I will hold off on those questions,  
15                  Chief.

16                  Aside from that instance of that  
17                  accusation in you said 2017?

18                  A. Yes, I was deposed in 2017, 2017.

19                  Q. You were deposed, sir?

20                  A. Yes, I was deposed in 2017. Yes.

21                  Q. And I just want to make sure, I  
22                  will get into the questions a little more  
23                  then. I just wanted to make sure I was about  
24                  to ask a follow-up about depositions versus  
25                  interviews with IAB. Because I will make a

1 CHIEF JEFFREY MADDREY

2 24-hours that might effect your ability to  
3 testify fully and accurately today?

4 A. I took blood pressure medication  
5 this morning and cough medicine.

6 Q. Nothing that would prevent you from  
7 testifying fully and accurately?

8 A. I don't believe so.

9 Q. Have you taken any alcohol within  
10 the last 24 hours, again, that you believe  
11 would effect your ability to testify fully  
12 and accurately?

13 A. No.

14 Q. Okay. Thank you. You mentioned  
15 some folks in the room today, are they your  
16 counsel?

17 A. Yes.

18 Q. Are you represented by any other  
19 counsel?

20 A. I have a private attorney,  
21 Mr. Lambros Lambrou.

22 Q. Is he the attorney who will be  
23 joining us later today?

24 A. Yes.

25 Q. Okay. And so we will just note his

1 CHIEF JEFFREY MADDREY

2 MR. HIRAOKA: So, for the record, I  
3 found out that Chief Maddrey's personal  
4 attorney regarding his open cases will  
5 not be able to appear today partly  
6 because it's the holiday weekend and his  
7 office is closed. Given the fact that  
8 Chief Maddrey does have an open CCRB  
9 case and he does have an open civil  
10 lawsuit that is related to a closed IAB  
11 investigation. Since his Counsel is not  
12 here for those two cases, I will not  
13 allow him to answer any questions  
14 regarding the open CCRB case or the open  
15 civil case involving a closed IAB  
16 lawsuit. With respect to the closed IAB  
17 lawsuit, like I said I have no problem  
18 with you asking general things, like the  
19 general allegations and the outcome and  
20 any penalty, but because his private  
21 attorney is not here, I will not allow  
22 him to answer questions regarding the  
23 underlying facts until his personal  
24 attorney is here. As I indicated on the  
25 record, Chief Maddrey will come back to

1                   CHIEF JEFFREY MADDREY  
2                   answer those questions with his private  
3                   counsel present and we can go forward  
4                   and also we would not consent to pay for  
5                   the deposition transcript for when Chief  
6                   Maddrey returns.

7                   MS. MARQUEZ: As I was informing  
8                   Counsel off the record, and will now  
9                   state on the record, it was already put  
10                   on the record that at the start of the  
11                   deposition, you know, you represented to  
12                   me that his private counsel would be on  
13                   this afternoon, he did not come on in  
14                   the afternoon and you had asked me to  
15                   hold off asking questions based on that  
16                   representation and I did. And now it's  
17                   past business hours and I don't feel  
18                   it's right to call the Court at this  
19                   hour to ask for a ruling on this, but  
20                   it's not appropriate to direct a witness  
21                   to not answer questions regarding an  
22                   open CCRB case, which is not anything  
23                   that is protected, as I understand it,  
24                   there's no privilege there, there's no  
25                   other basis I'm aware of that you can

1 CHIEF JEFFREY MADDREY

2 direct him not to answer that. And I  
3 have questions on those issues. And if  
4 it made you feel more comfortable to  
5 have counsel here that this was  
6 something that was only raised to me at  
7 the start of the deposition. And again  
8 was represented to me private counsel  
9 would be on the deposition in the  
10 afternoon. Him not being here, it's not  
11 right to have us bear the burden and  
12 cost of the Chief coming back in form of  
13 court reporter costs and the form of our  
14 time, we are here today and you don't,  
15 as you sit here, Joe, have a date and  
16 time you would even produce him,  
17 correct?

18 MR. HIRAOKA: If you have some  
19 dates and times you want to propose, I  
20 think we can resolve that issue now. Do  
21 you have any dates and time?

22 MS. MARQUEZ: Do you know when his  
23 private counsel will be available?

24 MR. HIRAOKA: No, I will have to  
25 relate to him. I'm sorry, were you done

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1 CHIEF JEFFREY MADDREY

2 with the statement?

3 MS. MARQUEZ: No. I just, yes, I  
4 was just making sure I understood that  
5 we can't resolve that right now. You  
6 just informed me as of 20 minutes ago  
7 that it's -- that the private counsel is  
8 not even around because his office is  
9 now closed all of a sudden. So, you  
10 know, like, I'm going to go ahead and  
11 finish with my questioning. If you want  
12 to direct him not to answer, I will mark  
13 it for a ruling. It's too late to call  
14 the Court, but we will be seeking for  
15 the City to pay for his return because I  
16 don't think that's an appropriate  
17 objection and, you know, if Counsel felt  
18 more comfortable having private counsel  
19 here on the call, they should have  
20 arranged for that. I think that was it.  
21 Joe, I don't know if you had anything  
22 else.

23 MR. HIRAKAWA: Yes. Understood.

24 His private counsel indicated that he  
25 would be available and it wasn't until

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1 CHIEF JEFFREY MADDREY

2 late this afternoon that I was informed  
3 he would not be available. So, I have  
4 no control over that. I apologize. At  
5 this point I would ask you continue with  
6 your deposition and any future disputes  
7 we have regarding fees and so forth will  
8 be taken up at the appropriate time. I  
9 have no problem with you finishing up  
10 the questions you have right now. And  
11 like I said we will bring Chief Maddrey  
12 back regarding any questions you have  
13 regarding any open cases he may have.

14 MS. MARQUEZ: When were you alerted  
15 private counsel would not be available?

16 MR. HIRAKO: That was  
17 approximately, approximately 3:45 this  
18 afternoon, approximately.

19 Q. Let's start with the rest of the  
20 questions. Chief, we went over a number of  
21 incidents, I remember one more protest you  
22 said you were at June 3rd, Cadman Plaza,  
23 correct?

24 A. Yes.

25 Q. Were you the incident commander

1                   CHIEF JEFFREY MADDREY

2                   is disqualifying, that's on a case-by-case  
3                   basis?

4                   A.    Yes.

5                   Q.    Determined by, I guess, ultimately  
6                   the police commissioner?

7                   A.    Ultimately the police commissioner,  
8                   yes.

9                   Q.    So just to go briefly over the  
10                  CCRBs. You said everything that was opened  
11                  against you was unsubstantiated as it relates  
12                  to the protests?

13                  A.    To my knowledge, yes.

14                  Q.    Okay. And what informs your  
15                  knowledge?

16                  A.    I received, I received letters from  
17                  CCRB stating that they were closed, that they  
18                  were unsubstantiated and closed.

19                  Q.    Did you receive a letter from CCRB  
20                  saying as much for the case we sort of  
21                  discussed on May 30th at the Brooklyn Bridge?

22                  A.    I sat through CCRB hearings for  
23                  approximately four days in the summer of  
24                  2021. There was multiple charges and to my  
25                  knowledge I received letters back on all of

1 CHIEF JEFFREY MADDREY

2 them saying they were all unsubstantiated.

3 Q. Do you know if anybody else, any  
4 other subject officer from that case against  
5 whom charges and specifications were filed?

6 A. I don't understand your question.

7 Q. So you were one subject officer,  
8 but there were others in that case, May 30th,  
9 Brooklyn Bridge. Are you aware of the status  
10 of the case as to those officers?

11 A. No, I don't know who received  
12 complaints on May 30th at the Brooklyn  
13 Bridge, so I can't provide an answer.

14 Q. Okay. And then you had also  
15 testified earlier to a closed case involving  
16 -- my apologies. Tabatha Foster?

17 A. Yes, Foster.

18 Q. And the allegations there were that  
19 you got into a physical altercation with Ms.  
20 Foster?

21 A. Yes.

22 Q. And that you failed to report that  
23 altercation to patrol supervisor?

24 A. Yes.

25 Q. And that you intended to impede the

1 CHIEF JEFFREY MADDREY

2 investigation by lying about the fact that  
3 Ms. Foster brandished her service weapon?

4 A. I never lied about that.

5 Q. That was an allegation?

6 A. The allegation I impeded the  
7 investigation by -- I impeded the  
8 investigation by telling them that, you know,  
9 I was police chief and everything was okay.

10 Q. And did Ms. Foster actually  
11 brandish a weapon?

12 MR. HIRAKO: No. Don't answer  
13 that.

14 MS. MARQUEZ: That's a closed case.

15 MR. HIRAKO: As I stated on the  
16 record beforehand, I'm not going to  
17 allow him to answer questions regarding  
18 the substance of the case. The  
19 allegations and the outcome is fine.  
20 And I'm not saying you can't ask them  
21 ever, I'm just saying I will not allow  
22 him to answer without his private  
23 counsel present.

24 MS. MARQUEZ: You said the  
25 opposite. If it's closed you will not

1 CHIEF JEFFREY MADDREY

2 direct him not to answer.

3 Q. This is a closed case, Chief?

4 A. Yes, it is.

5 MR. HIRAKO: What was your comment  
6 to me?

7 MS. MARQUEZ: I was going to ask  
8 another question.

9 Q. You entered a plea in that case,  
10 yes?

11 A. Yes.

12 Q. The 45 days loss of vacation days;  
13 is that right?

14 A. Yes.

15 Q. And that is a large amount, no?

16 A. Yes.

17 Q. And why did you plead?

18 MR. HIRAKO: No. Don't answer  
19 that. Okay. So, again, Counsel at this  
20 point, like I said, I'm allowing him to  
21 answer question. It's a closed,  
22 regarding closed allegation, regarding  
23 the allegations and the outcome as for  
24 any subjective matters regarding the IAB  
25 case there's an open civil case, I will

1                   CHIEF JEFFREY MADDREY  
2                   not allow him to answer further  
3                   questions regarding the IAB case without  
4                   his counsel present.

5                   MS. MARQUEZ: Do you have case law  
6                   allowing him not to answer questions?

7                   MR. HIRAKO: Rule 30. This will  
8                   be made at that base. He does have a  
9                   private counsel. I'm not saying he  
10                  can't answer them ever. I'm not  
11                  allowing him to answer without his  
12                  personal counsel present.

13                  MS. MARQUEZ: I'm marking it for a  
14                  ruling.

15                  Q. You did plead to 45 days loss of  
16                  vacation, correct?

17                  A. Yes.

18                  Q. And I believe you won't stop me  
19                  from asking at least what the ultimate  
20                  charges that you pled to were?

21                  A. Yes, it was physical altercation,  
22                  failure to report and impede an  
23                  investigation.

24                  Q. So to all three?

25                  A. Yes.

1 CHIEF JEFFREY MADDREY

2 Q. Okay. If I told you it had been  
3 reported that the last charge was dropped  
4 from the ultimate findings, is that an  
5 accurate reporting?

6 A. When you say the last charge out of  
7 the three I just spoke about?

8 Q. The attempt to impede investigation  
9 was dropped?

10 A. The three3 charges I just named,  
11 impeded investigation, physical altercation  
12 and failure to report were the three charges.

13 Q. Okay. So your recollection is that  
14 you pled, I guess, guilty to those three?

15 A. Yes.

16 Q. You didn't undergo a trial because  
17 of that plea, correct?

18 A. Yes.

19 MS. MARQUEZ: And I'm going call  
20 for production of that file.

21 MR. HIRAKO: Put all requests in  
22 writing and we will take it under  
23 advisement.

24 Q. Was Tabatha Foster ever subject to  
25 investigation with respect to that same

1 CHIEF JEFFREY MADDREY

2 investigation?

3 MR. HIRAKO: Don't answer. Same  
4 objection. I will not let him answer  
5 questions.

6 MS. MARQUEZ: That is a  
7 third-party, Tabatha Foster.

8 MR. HIRAKO: It still involves, it  
9 still involves the IAB investigation  
10 that is closed and the open civil case,  
11 so same objection.

12 Q. Is Tabatha Foster currently a  
13 member of service?

14 MR. HIRAKO: Same objection.  
15 Don't answer.

16 MS. MARQUEZ: Seriously, that's a  
17 matter of public record.

18 MR. HIRAKO: If it's a matter of  
19 public record you can get it.

20 MS. MARQUEZ: So you are actually  
21 directing him not to answer something  
22 that should be in the public record?  
23 You are directing a person not to answer  
24 something in federal, in a deposition  
25 that I could potentially go online and

1 CHIEF JEFFREY MADDREY

2 look up?

3 MR. HIRAKO: Again, this involves,  
4 this is related to his open civil suit.  
5 All right, so I'm not going allow him to  
6 answer any other questions other than  
7 what he agreed to without his private  
8 counsel present.

9 MS. MARQUEZ: Are you going to stop  
10 me from asking him if he has an open  
11 civil suit?

12 MR. HIRAKO: You did.

13 MS. MARQUEZ: That's an open civil  
14 suit. I think we can agree not all  
15 questions about open civil suit that it  
16 falls within whatever you are defining  
17 as something you could tell him to stop  
18 responding to.

19 MR. HIRAKO: We will go question  
20 by question basis. So, you know, you  
21 can continue with your questioning. I'm  
22 not obstructing your questioning. I'm  
23 just saying there are certain parameters  
24 that I will not let him go beyond and  
25 answer the questions because he does not

1 CHIEF JEFFREY MADDREY

2 have private counsel present here.

3 Q. Did Ms. Foster retire?

4 A. Yes.

5 Q. When did she retire?

6 MR. HIRAOKA: That's it. Lillian,  
7 no more about her retirement.

8 MS. MARQUEZ: I want to get it on  
9 the record, you are directing the  
10 witness not to answer my question?

11 MR. HIRAOKA: That particular  
12 question, yes.

13 MS. MARQUEZ: Okay.

14 Q. Did you consider the altercation  
15 akin to domestic violence incident?

16 MR. HIRAOKA: Don't answer. Same  
17 objection.

18 Q. You are taking the advise of  
19 counsel, Chief, on all of these; is that  
20 correct?

21 A. He's the lawyer, yes.

22 Q. Okay. Just want to make sure.

23 And is it not a violation of NYPD  
24 policy that pulling out a service weapon,  
25 otherwise known as brandishing a service

1                   CHIEF JEFFREY MADDREY

2                   weapon, against an individual?

3                   A. I didn't hear your question.

4                   Q. Is brandishing a service weapon a  
5                   violation of NYPD policy if it's in a private  
6                   capacity?

7                   A. It's against the law.

8                   Q. Okay. And so also against NYPD  
9                   policy?

10                  A. Well, an active officers, yes.

11                  Q. What about not active officer?

12                  A. Yes.

13                  Q. Meaning off duty?

14                  A. Off duty, if they are not  
15                  addressing a crime, yes.

16                  Q. And in such cases is it NYPD policy  
17                  to remove their service weapon?

18                  A. I don't understand your question.

19                  Q. So in a case where somebody has  
20                  misused their service weapon, for instance,  
21                  one of the instances is where you recommended  
22                  discipline, person I guess fired a shot with  
23                  their service weapon, is it protocol under  
24                  NYPD policy to remove the service weapon from  
25                  that person?

1 CHIEF JEFFREY MADDREY

2 A. Normally I would say yes.

3 Q. Why normally? Why are you putting  
4 the qualifier?

5 A. I mean every situation is  
6 different. If the in the situation I  
7 described, so fired his weapon for no reason,  
8 I suspended the officer and he was suspended,  
9 take his gun and shield.

10 Q. So I guess if they use their  
11 service weapon in an unauthorized fashion is  
12 it protocol to strip them of their service  
13 weapon?

14 A. Yes.

15 Q. What rank were you at the time of  
16 this IAB case?

17 A. Assistant chief.

18 Q. Okay. And did you suffer any  
19 consequence other than the loss of vacation  
20 days for your plea?

21 A. In terms of within the department?

22 Q. Yes.

23 A. No, my penalty was 45 days.

24 Q. And you were promoted there after  
25 to Chief of Community Affairs?

1                   CHIEF JEFFREY MADDREY

2                   A.     Yes.

3                   Q.     How long after entering your plea?

4                   A.     Three years.

5                   Q.     Okay. And if you know, what role  
6                   did your plea play in your promotion?

7                   A.     I believe I would have been  
8                   promoted a lot earlier, but because of the  
9                   incident I didn't get promoted as fast.

10                  Q.     Did you have to interview? We went  
11                  over that. You were pulled into the police  
12                  commissioner's office for that promotion,  
13                  correct?

14                  A.     Yes.

15                  Q.     Okay. And what is the status of  
16                  the lawsuit against you from Tabatha Foster?

17                  A.     It's an active lawsuit.

18                  Q.     Do you know what state? What is  
19                  the status? Are you in discovery? Do you  
20                  have a trial next week?

21                  A.     No.

22                  MR. HIRAOKA: Do you know, yes or  
23                  no?

24                  THE WITNESS: Yes. Attorney filed  
25                  a motion to dismiss.

1 CHIEF JEFFREY MADDREY

2 Q. Okay. So you haven't testified,  
3 you haven't provided deposition testimony  
4 there?

5 A. We have done depositions already.

6 Q. Okay. So was it a summary judgment  
7 motion? Have you heard that word?

8 A. Summary judgment, it probably is  
9 summary judgment.

10 Q. But you have done a deposition at  
11 the minimum?

12 A. Yes, we have done deposition.

13 Q. Any other active lawsuits against  
14 you?

15 A. Not that I am aware of.

16 Q. Any other civil lawsuits as it  
17 relates to your service in the NYPD civil  
18 lawsuits?

19 A. Did I incur any other civil  
20 lawsuits during my time at NYPD? Yes.

21 Q. And not the ones we went over at  
22 the top, other than that?

23 A. 32-year career, I had civil  
24 lawsuits filed against me in 32 years.

25 Q. Anywhere you were found to be

1 CHIEF JEFFREY MADDREY

2 liable?

3 A. No.

4 Q. Anywhere the City of New York was  
5 found to be liable?

6 A. No.

7 Q. Okay. Are you aware of a CCRB  
8 investigation into an incident November 24,  
9 2021 where you are alleged to have abused  
10 your authority by releasing from custody  
11 retired NYPD Officer Kruythoff?

12 A. Yes.

13 Q. And what is the status of that  
14 CCRB?

15 A. I just -- I decided that I'm going  
16 to take this to trial. So, I'm going to  
17 trial.

18 MR. HIRAKO: It's still open?

19 THE WITNESS: It's open, yes.

20 Q. Are you aware of reporting that  
21 Commissioner Sewell has reprimanded you in  
22 connection with this matter by proposing a  
23 loss of ten vacation days?

24 A. Yes.

25 Q. And do you know that to be

1 CHIEF JEFFREY MADDREY

2 accurate?

3 A. It was proposed to me and I did not  
4 accept the findings.

5 Q. And how was it proposed to you?

6 MR. HIRAOKA: Don't answer that.

7 Q. And the allegation is abuse?

8 MR. HIRAOKA: Same objection  
9 because his private counsel isn't here.

10 Q. I get to ask the question at least.  
11 Is the allegation, do you know what the  
12 allegations are? I will go through what I  
13 understand they are. Abuse of authority?

14 A. Yes.

15 Q. Anything else?

16 A. That's it.

17 Q. Okay. Did you play any role in  
18 causing the release of Mr. Forrester from  
19 custody?

20 MR. HIRAOKA: Objection. Same  
21 objection. His private counsel is not  
22 here. Again, we are going into the  
23 underlying facts of the case.

24 MS. MARQUEZ: You are directing him  
25 not to answer?

1 CHIEF JEFFREY MADDREY

2 MR. HIRAOKA: Don't answer.

3 Q. What was the recommendation by  
4 CCRB?

5 A. Schedule B command discipline ten  
6 days.

7 Q. Were you served with charges and  
8 specifications yet?

9 A. Yes.

10 Q. Okay. Is that where you got the  
11 proposal for the ten days?

12 A. No.

13 Q. Okay. This is by separate  
14 communication?

15 A. Yes.

16 Q. Would a false arrest be  
17 investigated by an abuse of authority by the  
18 CCRB?

19 MR. HIRAOKA: In this case or in  
20 general?

21 MS. MARQUEZ: In general.

22 A. A false arrest?

23 Q. Yes.

24 A. Yes.

25 Q. Okay. And were you interviewed by

1 CHIEF JEFFREY MADDREY

2 CCRB in relation to this matter?

3 A. Yes.

4 MS. MARQUEZ: We call for the  
5 production of this case.

6 MR. HIRAOKA: Please make all  
7 requests in writing. We will take it  
8 under advisement.

9 MS. MARQUEZ: Just to get on the  
10 record you are, you are directing the  
11 Chief not to answer any further  
12 questions on the CCRB or the closed IAB  
13 relating to Ms. Foster for the civil  
14 suit by Ms. Foster, correct?

15 MR. HIRAOKA: No. I said we will  
16 take it on a question by question basis.  
17 You are free to ask the questions. If I  
18 find it's too far into the underlying  
19 case I will direct him not to answer.  
20 He is my client and I'm defending him,  
21 his private counsel is not here.

22 Q. At any point before today did you  
23 know retired NYPD Officer Forrester?

24 A. Yes.

25 Q. In what capacity?

1 CHIEF JEFFREY MADDREY

2 MR. HIRAKA: Objection. Don't  
3 answer that.

4 Q. When was he retired?

5 MR. HIRAKA: Objection. Don't  
6 answer that either.

7 Q. Do you know that he was alleged to  
8 have chased three teens in Brownsville with a  
9 gun?

10 MR. HIRAKA: Objection. Don't  
11 answer.

12 Q. Do you know that Mr. Forrester was  
13 taken into custody by NYPD officers?

14 MR. HIRAKA: Objection. Don't  
15 answer.

16 Q. Do you know the reason for him  
17 being taken into custody?

18 MR. HIRAKA: Objection. Don't  
19 answer.

20 Q. Again, this relates to November 24,  
21 2021, do you understand?

22 A. Yes.

23 Q. What happened ultimately to  
24 Mr. Forrester?

25 MR. HIRAKA: Objection. Don't

1 CHIEF JEFFREY MADDREY

2 answer.

3 Q. When did you first learn of  
4 Forrester's arrest?

5 MR. HIRAKO: Objection. Don't  
6 answer.

7 Q. What did you do with that  
8 information, if anything?

9 MR. HIRAKO: Objection. Don't  
10 answer.

11 Q. Have you spoken to the press in any  
12 capacity around these allegations?

13 MR. HIRAKO: Objection. Don't  
14 answer.

15 Q. What role, if any, did you play in  
16 causing the release of Mr. Forrester from  
17 custody?

18 MR. HIRAKO: Objection. Don't  
19 answer.

20 Q. And why did you direct that action?

21 MR. HIRAKO: Objection. Don't  
22 answer.

23 Q. Is this in accordance with NYPD  
24 policy?

25 MR. HIRAKO: Objection. Don't

1                   CHIEF JEFFREY MADDREY

2                   answer.

3                   Q.     Did you cause his arrest to be  
4                   voided?

5                   MR. HIRAKA:   Objection.   Don't  
6                   answer.

7                   Q.     And, Chief, just as a general  
8                   matter, what does it mean for an arrest to be  
9                   voided?

10                  MR. HIRAKA:   A general manner.

11                  A.     As a general manner if you find  
12                  probable cause is lacking you can void an  
13                  arrest.

14                  Q.     Was this incident investigated by  
15                  anybody, any other entity other than CCRB?

16                  A.     Yes.

17                  Q.     By whom?

18                  A.     By the Internal Affairs Bureau, by  
19                  Kings County District Attorney's office.

20                  Q.     Okay.   Are those investigations  
21                  closed?

22                  A.     Yes.

23                  Q.     And what is the outcome, if you  
24                  know?

25                  A.     Both of them found that I did

1 CHIEF JEFFREY MADDREY

2 nothing wrong.

3 Q. And why was the D.A.'s Office  
4 investigating it, under what jurisdiction?

5 A. What do you mean? I don't  
6 understand the question.

7 Q. Was it, like, police accountability  
8 unit or in what capacity were they  
9 investigating?

10 A. I don't know which unit it was  
11 investigated in. The case was referred to  
12 them along with IAB. We both conducted  
13 investigations. They both found I did  
14 nothing wrong.

15 MS. MARQUEZ: I will call for  
16 production of the IAB file.

17 Q. And how did you learn --

18 MR. HIRAKO: Put the requests in  
19 writing, we will take it under  
20 advisement.

21 Q. How did you learn about the IAB  
22 case?

23 A. Through the news.

24 Q. You didn't receive a communication  
25 from IAB about the closure of the case?

1 CHIEF JEFFREY MADDREY

2 A. Not that I recall. Not that I ever  
3 seen.

4 Q. Were you interviewed by any part of  
5 the IAB or investigation unit?

6 A. No.

7 Q. Have you ever received discipline  
8 other than what we discussed for by NYPD?

9 MR. HIRAOKA: Or this case?

10 MS. MARQUEZ: Anything.

11 A. In 1995 I got in trouble, received  
12 discipline.

13 Q. For what?

14 A. That my partner said I used force  
15 against him.

16 Q. Sorry, I couldn't hear that.

17 A. Complainant said me and my partner  
18 used force against him.

19 Q. Okay. And what was the discipline?

20 A. It was a Nolo contendere loss of 20  
21 days.

22 Q. Anything else?

23 A. That's it.

24 Q. Okay.

25 MS. MARQUEZ: I will reserve the

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1 CHIEF JEFFREY MADDREY

2 remainder of the time for a court ruling  
3 to bring you back.

4 Was there anything on your end,  
5 Joe?

6 MR. HIRAOKA: No. I mean we are  
7 agreeing to bring him back.

8 MS. MARQUEZ: Well, at Counsel's  
9 expense. I think you inappropriately  
10 directed him not to answer questions on  
11 these things. I was asking if you had  
12 any questions.

13 MR. HIRAOKA: No, no questions.  
14 Once again, we will bring him back  
15 and, you know, we are not directing him  
16 not to answer forever it's just he can  
17 answer in the presence of his private  
18 counsel.

19 MS. MARQUEZ: I think that's it  
20 then.

21 (Time noted: 6:00 p.m.)

22  
23  
24 JEFFREY MADDREY  
25